

1 John E. Dragonje
2 State Bar No. 9519
3 Brian D. Blakley
4 State Bar No. 13074
5 LEWIS ROCA ROTHGERBER CHRISTIE LLP
6 3993 Howard Hughes Pkwy, Suite 600
7 Las Vegas, NV 89169-5996
8 Tel: 702.949.8200
9 Fax: 702.949.8398
10 E-mail:jdragonje@lrrc.com
11 E-mail:bblakley@lewisroca.com

Dana M. Susman (*Pro Hac Vice*)
Daniel Gimmel (*Pro Hac Vice*)
KANE KESSLER, P.C.
600 Third Avenue, 35th Floor
New York, NY 10016-1901
Tel: 212.541.6222
Fax: 212.245.3009
E-mail: dsusman@kanekessler.com
dgimmel@kanekessler.com

13 || *Attorneys for Defendant All Saints Retail Limited*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

17 | BLITZ NV, LLC,

Case No.: 2:21-cv-00089-GMN-EJY

18 Plaintiff,

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME TO RESPOND
TO AMENDED COMPLAINT AND TO
CONTINUE RULE 26(F) SCHEDULING
CONFERENCE**

10 | VS

20 || ALL SAINTS RETAIL LIMITED.

Defendant.

Defendant All Saints Retail Limited and Plaintiff Blitz NV, LLC, by and through their respective undersigned counsel, hereby stipulate as follows:

24
25 1. Plaintiff initiated this action by the filing of a summons and complaint on January 15,
26 2021. On March 9, 2021, Defendant filed a motion to dismiss [ECF No. 12], based on
27 lack of personal jurisdiction, subject matter jurisdiction and for failure to properly serve
Defendant with process.

2. In response, on March 23, 2021, Plaintiff filed a response to the Motion to Dismiss
asserting that the motion to dismiss be denied as moot or soon to be moot [ECF No.
19], the First Amended Complaint [ECF No. 18], along with a Motion to Extend Time
to Serve Process Upon Defendant All Saints Retail Limited Pursuant to FRCP 4(m)
("Motion to Extend") [ECF No. 20].
3. Thereafter, the parties continued to have settlement discussions, and as part of these
discussions, Defendant has agreed to waive service of the Summons and Complaint
pursuant to Rule 4(d). Defendant will promptly provide the appropriate, duly executed
waiver of service form, which will then be filed with this Court. In light of the
agreement to waive of service, the parties agreed that the Motion to Extend was moot.
4. On March 31, 2021, the Court ordered that Defendant's deadline to respond to the First
Amended Complaint will be on or before June 28, 2021, and that the date to hold the
Rule 26(f) conference would be 30 days from Defendant's response to the First
Amended Complaint, but no later than July 28, 2021, and the Discovery
Plan/Scheduling Order would be due 14-days thereafter [ECF No. 24].
5. To allow for continued settlement discussions, the parties have agreed to extend by 30
days Defendant's deadline to respond to the First Amended Complaint, which deadline
will be on or before July 28, 2021. Such stipulation is without prejudice and with the
express reservation of rights by each party. Without limiting the foregoing, Defendant
expressly reserves all defenses and objections to the lawsuit, the Court's personal and
subject matter jurisdiction and the venue of this action, and Plaintiff expressly reserves
all arguments and allegations in connection with personal and subject matter
jurisdiction and the venue of this action.
6. Further, commensurate with the settlement discussions and extending the deadline to
respond to the First Amended Complaint, the parties further request a thirty-day
continuance of the deadlines to hold the Rule 26(f) conference and submit a Discovery
Plan/Scheduling Order for 30 days from the date of Defendant's response to the
amended complaint, but no later than August 27, 2021 for the 26(f) conference and 14-

1 days thereafter to file the Discovery Plan/Scheduling Order .

2 7. There is currently no trial or hearings scheduled in this matter.

4 Dated this 18th day of June 2021

5 FLANGAS LAW GROUP

6 By: /s/ Kimberly P. Stein

7 Kimberly P. Stein
Nevada Bar No. 8675
Email: kps@fdlawly.com
3275 South Jones Blvd., Ste. 105
Las Vegas, NV 89146
Tel: (702) 307-9500

11 CARLTON FIELDS

12 William Giltinan (*Pro Hac Vice*)
FL Bar No. 27810
4221 W. Boy Scout Blvd., Ste. 1000
Tampa, Florida 33607-4241
(813) 229-4241

16 *Attorneys for Plaintiff Blitz NV, LLC*

Dated this 18th day of June 2021

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ John E. Dragonje

John E. Dragonje
State Bar No. 9519
Email: jdragonje@lrcc.com
Brian D. Blakley
State Bar No. 13074
E-mail:bblakley@lewisroca.com
3993 Howard Hughes Pkwy, Suite 500
Las Vegas, NV 89159-5996
Tel: (702) 949-8200

KANE KESSLER, P.C.

Dana M. Susman (*Pro Hac Vice*)
Daniel Gimmel (*Pro Hac Vice*)
600 Third Avenue, 35th Floor
New York, NY 10016
Tel: 212-541-6222

Attorneys for Defendant All Saints Retail Limited

ORDER

19 **IT IS SO ORDERED** that:

20 1. Defendant's deadline to respond to the First Amended Complaint [ECF No. 18] will be
21 July 28, 2021.
22 2. The current date to hold the 26(f) conference is continued until 30 days from
23 Defendant's response to the First Amended Complaint, but no later than August 27,
24 2021, and the Discovery Plan/Scheduling Order would be due 14-days thereafter.

26 Dated this 21st day of June, 2021.


UNITED STATES MAGISTRATE JUDGE